

From: [Barbara Nann](#)
To: [Jessica Hernandez](#); [Anne Foster](#)
Subject: Fw: Cease & Desist (san jacinto)
Date: 07/07/2011 04:48 PM

The 1st step EPA will need to do is to definitely define where the pits are relating to the survey and deed records to see if in fact some of the pits are on Big Star property. The attorney for Big Star is currently saying that he doesn't believe that the waste pit is on Big Star property (as earlier stated in an email-see below). Bob Werner should have completed this but I have not seen a GIS official map/survey.

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----- Forwarded by Barbara Nann/R6/USEPA/US on 07/07/2011 04:45 PM -----

From: "Axe, Al" <aaxe@winstead.com>
To: 'Bill Morgan' <billmorgan@msn.com>
Cc: Barbara Nann/R6/USEPA/US@EPA, "'robmarsur@aol.com'" <robmarsur@aol.com>, "'Cermak, John F.'" <jcermak@bakerlaw.com>, "'Inglin, Sonja A.'" <singlin@bakerlaw.com>
Date: 04/28/2011 07:14 PM
Subject: RE: Cease & Desist

Bill,

If you would send us the information that you are referring to, we will take a look it. In the meantime, I will share your concerns with the other party and we will need to discuss this. I am traveling tomorrow but will followup with you on Monday. Al

Albert R. Axe, Jr.
Direct: (512) 370-2806
Fax: (512) 370-2850
profile link: <http://www.winstead.com/Attorneys/aaxe>

From: Bill Morgan [<mailto:billmorgan@msn.com>]
Sent: Thursday, April 28, 2011 5:26 PM
To: Axe, Al
Cc: nann.barbara@epa.gov; robmarsur@aol.com



9548944

Subject: Cease & Desist

It appears from maps that have recently been provided to Jay that some of your clients berms and pits infringe onto Big Star property and some of your client's current activities are taking place on Big Star property and these activities are not authorized or subject to the Consent Agreement. Therefore, we request that such activities immediatately cease and desist until such time as we are provided the requested surey and we have an opportunity to review such with respect to the breach of our property line.

Should your client elect not to comply with this request my client will consider court action on the matter.

William L. H. Morgan, Jr.
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From: aaxe@winstead.com
To: billmorgan@msn.com
CC: nann.barbara@epa.gov; robmarsur@aol.com; jcermak@bakerlaw.com; singlin@bakerlaw.com
Date: Thu, 28 Apr 2011 16:52:05 -0500
Subject: RE: Request for Survey

[Bill,](#)

[We received your request on Tuesday and I was involved in meetings all day yesterday. We are interested in an exchange of information and are checking on the survey information that we may be in a position to provide to you. Could you provide us a copy of Big Star's and Houston International Terminal's insurance policies, dating from the early 70's to date? Thanks. Al](#)

Albert R. Axe, Jr.

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From: Bill Morgan [mailto:billmorgan@msn.com]

Sent: Thursday, April 28, 2011 2:31 PM

To: Axe, Al

Cc: nann.barbara@epa.gov; robmarsur@aol.com

Subject: Request for Survey

Al,

Just following up on the status of my request for a copy of the land survey of the superfund site & surrounding property.

Please provide a date by which such will be provided.

William L. H. Morgan, Jr.
Attorney & Counselor at Law
12815 Gulf Freeway
Houston, Texas 77034
Telephone 281 481 5807
Facsimile 888 233 4627
Email Billmorgan@msn.com

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